

## Law Office of Annemarie F. Dempsey

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- service by facsimile is not accepted -

Application denied.

**SO ORDERED.**



Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
May 22, 2024

May 22, 2024

### Via PACER

Hon. Phillip M. Halpern, U.S.D.J.  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

RE: Johnson, Gregory v Ridgeview Apartments LLC  
Docket No.: 23-cv-05295-PMH  
Case No.: 7:23-cv-05295  
Our Matter No.: 2023107999  
Travelers Claim No.: FPS9717

Dear Judge Halpern:

This office represents the defendants, Ridgeview Apartments LLC and Lincoln Apartment Management Limited Partnership in this action. For the reasons set forth below and with the consent of counsel for the plaintiff, we are requesting a 60 day extension and adjournment of the May 30, 2024 Case Management Conference.

Unfortunately, plaintiff was unable to appear for a noticed medical examination with Dr. Scott Haig on February 2, 2024 purportedly because he was unable to travel to the Westchester County medical examination location. Thereafter, on March 18, 2024, at the request of plaintiff counsel, this office rescheduled the Orthopedic physical examination to a New York, NY location with Dr. Jessica B. Gallina, MD for a confirmed May 30, 2024 examination and we have just been notified by counsel that plaintiff has indicated that he will not be able to attend the examination.

In addition, we have learned that a potential witness to the condition of the area where plaintiff claims to have fallen and specifically an inspector for the Section 8

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Voucher Program is no longer employed in that capacity and we are in the process of serving a subpoena for her last known address so that we can secure her testimony for trial.

Thank you for the Court's consideration.

Respectfully submitted,

  
Joseph H. Green

cc: William Cafaro (Via Pacer)

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